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WATER RIGHTS
LOGAN

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April 19, 2007

Bob Fotheringham
Department of Natural Resources Division of Water Rights
1780 North Research Park Way, Suite 104
North Logan, Utah 84341-1940

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APR 21 2007
WATER RIGHTS
SALT LAKE

Re: *Bear River-Chesapeake Duck Club*

Dear Mr. Fotheringham:

As you may recall the Chesapeake Duck Club was granted certain water rights (29-4162) with regard to the general adjudication in Box Elder County. Part of these rights relate to flows from Woods Creek which consist, among other things, of overflow from the Bear River. This water right has a priority date of 1902.

The Club is concerned that diversion from the Bear River to provide water to Salt Lake County, and the construction of additional dams on the Bear River, will dramatically affect its water rights. It is my understanding that one of the purposes of the diversion and damming is to diminish the flooding of the river; however, since Woods Creek is fed by the Bear River particularly at flood stage, any actions to diminish the flood stage, would also diminish the Club's water rights.

In the past, dredging and other operations have apparently taken place on the river to channelize its flow and thus diminish its capacity to flow into Woods Creek. The Club believes that these actions have also reduced its water rights.

I was informed by Jack Barnett that you are the person to contact regarding these problems.

The Chesapeake Duck Club intends to assert its water rights with its priority date of 1902. It is my understanding that various other parties that are pushing for either damming or piping the Bear River have a water right priority somewhere in the 1960s.

It is not the intention of the Chesapeake Duck Club to be an obstructionist; nevertheless, the Club must protect its adjudicated water rights. The Club would be pleased to discuss solutions to this problem with any interested party but, at the present time, it feels strongly that either damming or piping the river up stream from the Woods Creek inlet would be improper.

Your attention to this matter will be appreciated.

Very Truly Yours,

J. Thomas Bowen

cc: Curt Wankier

JTB:bw

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